

FILED NO: 562BOOK 128 PAGE 114IND. ✓
REC. ✓
PAGE ✓ 90 SEP -7 AM 8:32HARRY E. VIELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$ 15.00

COMPLIANCE WITH DEED
AND
MODIFICATION OF RESTRICTIONS

On September 18, 1985, a Deed was recorded at Book 120, Page 218 in the records of the Madison County Recorder, concerning the following described real estate:

A parcel of land described as follows: Commencing at the West Quarter (1/4) corner of Section Thirty-four (34), in Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, thence South 1,317.2 feet, thence North 89°11' East 1,664 feet to the point of beginning, running thence North 4°46' West 43 feet, thence North 83°06' East 294.9 feet, thence South 4°03' East 217.1 feet, thence South 86°44' West 292.1 feet, thence North 4°46' West 155.4 feet to point of beginning, containing 1.399 acres;

Said Deed contains the following restrictions:

- a) The access easement is granted to Grantees only and cannot be assigned or transferred to other parties;
- b) Grantees have the right to use water from a well located on Grantors' property for the period of time this property is owned by Grantees.
- c) Grantees have the right for sewer drainage on Grantors' property.
- d) In the event Grantees should decide to sell the dwelling, Grantors shall have the first right to purchase same.

In addition, a previously recorded contract contained the following restriction:

"In the event first party does not purchase the dwelling, the dwelling shall be sold by second party and moved from the land that it is located on. The title to the land and possession

shall revert to first party. In the event first party sells adjoining land where a barn and outbuildings are located, second party shall have the first right to purchase the same."

Rickie L. Gripp and Debra A. Gripp are the current owners of the aforescribed property.

Fain Farms, Inc. are the successors in interest to the Grantors named in the aforesaid Deed.

Dan Fain, on behalf of Fain Farms, Inc. by this document states that Fain Farms, Inc. has been notified of their first right to purchase, and waives said right concerning the sale of the aforescribed property to Larry W. Bear and E. Christine Bear, and no others.

Dan Fain on behalf of Fain Farms, Inc. further states that Larry W. Bear and E. Christine Bear have the right to access, water use and the sewer drainage, as shown on the Warranty Deed of September 18, 1985.

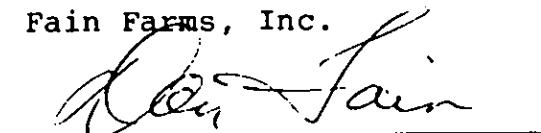
Finally, it is the intentions of all parties that the Warranty Deed of September 18, 1985 with the restrictions placed therein supersedes the terms and conditions of any and all previously recorded contracts. Specifically, the following restriction is no longer applicable:

"In the event first party does not purchase the dwelling, the dwelling shall be sold by second party and moved from the land that it is located on. The title to the land and possession shall revert to first party. In the event first party sells adjoining land where a barn and outbuildings are located, second party shall have the first right to purchase the same."

This document is given to establish compliance with the Restrictions and Conditions of the Warranty Deed of September 18, 1985. All other restrictions shall otherwise remain in full force and effect.

Dated this 6 day of September 1990.

Fain Farms, Inc.



By: Dan Fain, Treasurer

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STATE OF IOWA)
(
COUNTY OF)

On this 6th day of September, 1990, before me, the undersigned a Notary Public in and for said County and State, personally appeared Dan Fain, to me personally known, who being by me duly sworn, did say that he is the Treasurer of said corporation executing the within and foregoing instrument, that corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors: and that the said Treasurer as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by them voluntarily executed.



12/22/91

Joann K. Callison
Notary Public